

**REMARKS**

**STATUS OF CLAIMS**

Claims 17-21, 23, and 45-47 were pending in the application. Claim 17, 20, and 45-47 has been amended, and no claims have been added or cancelled. Therefore, claims 17-21, 23, and 45-47 are pending and are submitted for reconsideration. Please note that the final office action summary page erroneously refers to claims 48-57 since these claims have not been presented in this case. Furthermore, it should be noted that the amendments to claims 46 and 47 correct a typographical error and do not narrow the scope of these claims in any way.

**CLAIM OBJECTIONS**

In reply to the claim objections in the final office action, applicants have amended claims 46 and 47 to correct their dependency as correctly assumed in the final office action.

**PRIOR ART REJECTION UNDER 35 USC § 103**

In the final office action, claims 17-21, 23, and 45-47 were rejected under 35 USC § 103 as being obvious over U.S. Patent Number 6,202,211 to Williams, Jr. (hereafter “Williams”) in view of the publication titled *Virtual Network Computing* to Richardson *et al.* (hereafter “Richardson”). Applicants respectfully traverse this rejection with respect to the pending claims for at least the following reasons.

Independent claim 17 recites a remote computing server system for efficiently transmitting display elements (generated by a program on the server) on a compressed video stream. An analysis module compares the original display elements with a set of

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predefined display elements (where the display elements comprise graphical primitives) and selects modified display elements (from the predefined set) which are closest to the original display elements to simplify compression in accordance with identified transmission bandwidth limitations. At least this recited feature is not disclosed by the applied prior art.

Specifically, as acknowledged in the final office action, Williams does not disclose this feature. See page 5 of the final office action.

To cure this deficiency in Williams, the office action relies on Richardson. However, nowhere does Richardson disclose an analysis module compares the original display elements with a set of predefined display elements and selects modified display elements (from the predefined set) which are closest to the original display elements to simplify compression in accordance with identified transmission bandwidth limitations. *Firstly*, nowhere does Richardson disclose a set of *predefined* display elements (or graphical primitives) that are used for comparing with original display elements of a program (for example, icons, buttons, menus, etc.). *Secondly*, nowhere does Richardson disclose that corresponding modified display elements are selected from the predefined set based on the identified transmission bandwidth limitations.

In this regard, the office action states that Richardson teaches different encoding schemes may be used for rendering desktops and other applications generated at a server. However, none of the encoding schemes taught by Richardson disclose or suggest the specific features recited in pending independent claim 17 as discussed above. Specifically, as noted in the office action, one of the encoding schemes includes transmitting an x,y coordinate of pixels that are already in a frame buffer. However, this not relate in any way to a set of *predefined* display elements that are used for comparing with original display elements of a program (for example, graphical primitives such as icons, buttons, menus, etc.). Richardson also does not disclose that corresponding modified display elements are selected from the predefined set. Therefore, specific

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features recited in independent claim 17 are not disclosed by either Williams or Richardson or their reasonable combination.

Since specific features recited in claim 17 are not disclosed by the applied prior art, the office action fails to make a *prima facie* case of obviousness with respect to independent claim 17.

It should be noted that the Patent Office (PTO) has the burden of proving each of the claimed features is shown by the prior art. An allegation that claimed subject matter is “obvious” (as here alleged) requires a positive, concrete teaching in the prior art, such as would lead a person skilled in the art to choose the claimed combination from among many that might be comprehended by broad prior art teachings. The PTO’s review court has made it very clear that silence in a reference is hardly a substitute for clear and concrete evidence from which a conclusion of obviousness might justifiably flow. See, e.g., *Application of Burt*, 356 F.2d 115, 121 (CCPA 1966).

Independent claims 20 and 45 are also patentable for reasons that are similar to that discussed above with respect to independent claim 17. Accordingly, these independent claims are also believed to be patentable over the applied prior art.

#### **DEPENDENT CLAIMS**

The dependent claims are deemed to be patentable at least based on their dependence from allowable independent claims. In addition, they recite patentable subject matter when considered as a whole. For example, the features recited in claims 18, 19, 21, 23, and 46-47 when properly interpreted are also not disclosed or suggested by the applied prior art and these features provide additional reasons for the patentability of these claims. Specifically, none of the applied prior art disclose that the predefined set of display elements include one or more of backgrounds, icons, buttons, menus, or fonts or that differences between the predefined display elements and the original display elements include color, spatial frequency, spectrum, size, contrast, or type.

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**CONCLUSION**

Accordingly, applicant submits that the application is now in condition for allowance and an indication of the same is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' representative at the telephone number listed below.

If this Amendment is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this Response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,  
Microsoft Corporation

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Kate Marochkina  
Type or Print Name

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